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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ANGEL AGUIAR, Individually and on Behalf of All Others Similarly Situated,

Plaintiff,

vs.

MERISANT COMPANY, and WHOLE EARTH SWEETENER COMPANY, LLC,

Defendants.

Civil No.: 2:14-cv-00670-RGK-AGRx

Hon. R. Gary Klausner

DECLARATION OF JEFFREY D. DAHL REGARDING RESIDUAL FUNDS

JEFFREY D. DAHL, being duly sworn and deposed, declares and states as follows:

1. I am President of Dahl Administration, LLC ("Dahl") and I am over 21 years of age and am not a party to this action. This Declaration is based on my personal knowledge, information provided by the staff of Dahl, and information provided by Dahl's media partners. If called as a witness, I could and would testify competently to the facts stated herein.

2. As previously described in my Affidavit of Jeffrey D. Dahl with Respect to Settlement Notice Plan, dated December 17, 2014, Dahl has been retained as the Notice Administrator and Settlement Administrator for the above-captioned action. I submit this Declaration in order to provide the Court and the parties to the Litigation[1] with information regarding the final accounting of the Settlement Fund and the proposed disbursement of the Residual Funds.

DISTRIBUTION OF SETTLEMENT FUND

3. Dahl received from Defendants the Initial Deposit, Periodic Payments, Attorney's Fees and Costs and Incentive Payment, and the Balance Payment to the Settlement Fund totaling $1.65 million, as set forth in the Settlement Agreement.

4. As set forth in the Settlement Agreement and notice disseminated in connection with the Settlement, all Settlement Class Members wishing to participate in the Settlement were required to submit a valid and timely Proof of Claim form on or before February 10, 2015.

5. Dahl received and processed a total of 48,016 Proof of Claim forms.

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[1] All capitalized terms not otherwise defined herein have the meaning ascribed to them in the Class Settlement Agreement, dated August 18, 2014 (ECF No. 109-1).

6. Ultimately, after conducting all usual and customary due diligence, Dahl mailed checks to 44,074 Settlement Class Members.

7. Dahl logged each distribution mailing returned as undeliverable. The log is available for inspection by the Court, Class Counsel, and counsel for Defendant upon request.

8. For each distribution mailing that was returned with a forwarded address, Dahl re-sent the distribution mailing to the forwarding address. There were 55 distribution mailings returned as undeliverable with forwarding addresses and promptly re-sent by Dahl to the new addresses. There were 888 distribution mailings returned without a forwarding address. These were sent to a professional address search firm. New addresses were located for 419 records and the distribution mailing was re-sent to the new addresses.

9. As a result of these efforts, 98.94% payments were successfully delivered to the Class.

FINAL ACCOUNTING

10. All available funds were distributed to Settlement Class Members. Pursuant to section 4.4 of the Settlement Agreement, after calculation of the payment amount of all valid Claims, and payment of Notice and Administration costs, Attorneys' Fees and Expenses, Incentive Awards, and any other claim, cost, or fee specified in the Agreement (the "Residual Fund"), Settlement Class Members received a pro rata decrease to their settlement payments, such that each Settlement Class Member received approximately 76.53% of the Initial Claim Amount.

11. The deadline to cash the Settlement checks was February 18, 2016. As of September 23, 2016, 44,109, Settlement Class Members cashed checks totaling $844,428.32.

12. Currently, $54,209.78 remains in the Settlement Fund. This represents the value of uncashed, undeliverable, and returned checks.

13. Attached hereto as Exhibit A is an accounting of the Settlement Fund.

14. To attempt a second distribution of the $54.209.78 that remains in the Settlement Fund to Settlement Class Members who cashed their checks would result in the mailing of 41,109 checks, each worth on average $1.32.

15. Pursuant to section 4.5(c) of the Settlement Agreement, any balance that still remains in the Residual Fund shall be distributed to the American Diabetes Association, which is the appropriate 501(c)(3) non-profit organization selected by the parties and approved by the Court. Accordingly, Dahl respectfully requests that the Court enter an Order approving the disbursement of the remaining balance of the Settlement Fund.

I declare under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

Executed this 23rd day of Septembert, 2016 in Minneapolis, MN.

Jeffrey D. Dahl
Founder and Principal
Dahl Administration, LLC